# Before the Federal Communications Commission Washington, D.C. 20554

| In the Matter of                        | )      | CC DOCKET I | NO. 95-93 |  |
|---|--------|-------------|-----------|--|
| TeleCable of Piedmont, Inc.,            | )      |             |           |  |
| TeleCable of Spartanburg, Inc. and      | )      | PA 91-0001  |           |  |
| TeleCable of Greenville, Inc.;          | )      | PA 91-0002  |           |  |
| Cencom Cable Income Partners, II, L.P., | )      | PA 91-0003  |           | $A(\beta)$ , $\beta$   |
| Cencom Cable Entertainment, Inc., and   | )      |             |           | - Alex 11 1505   |
| Cencom Cable Television, Inc.           | )      |             |           |  |
| Complainants,                           | )      |             |           |  |
| •                                       | )      |             |           |  |
| v.                                      | )<br>\ |             |           |  |
| Duke Power Company,                     | )      |             | DOCKET E  | LE COPY ORIGINAL   |
| Respondent                              | )      | . ***<br>** | DOOKET !! | Production and the state of the |

TO: The Honorable John M. Frysiak Administrative Law Judge

#### JOINT MOTION TO DEFER BRIEFING DATE

The Judge's Order of August 21, 1995, granted the parties' request that the briefing and prehearing dates set by the HDO in this case be deferred pending filing by August 31, 1995, of the complete settlement. At that time, the parties had reached a settlement in principle and agreed on all rate issues, but needed to work through ministerial calculations of payments made, refunds and interest. We have made significant progress towards calculating such payments, refunds and interest but require additional time to resolve various discrepancies that have arisen in our respective methods of calculation. The parties hereby request that the briefing date be deferred pending filing by September 13, of the

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complete settlement and entry of an Order based upon the settlement. Commission Staff has authorized the parties to represent that it does not object to deferring the briefing schedule as long as the hearing date established by the HDO and the Judge's Order of June 23, 1995, remains the same.

Respectfully submitted,

TeleCable of Piedmont, Inc.
TeleCable of Spartanburg, Inc.
TeleCable of Greenville, Inc.
Cencom Cable Income Partners, II, L.P.

Cencom Cable Entertainment, Inc. Cencom Cable Television, Inc.

By:

Paul Glist

Frederick W. Giroux

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Its Attorneys

**Duke Power Company** 

By:

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Washington, DC 20005

Its Attorneys

August 30, 1995

### **CERTIFICATE OF SERVICE**

I, Heather Roberts, a legal secretary with the law firm of Cole, Raywid & Braverman, L.L.P., do hereby certify that a copy of the foregoing was sent via first-class, postage pre-paid, United States mail, this 30th day of August, 1995, to the following:

Hon. John M. Frysiak\*
Administrative Law Judge
Federal Communications Commission
2000 L Street N.W. Room 223
Washington, D.C. 20554

Duke Power Company 422 S. Church Street Charlotte, NC 28242 Attn: Rowe Hass

George E. Johnson\*
Jon Reel\*
Federal Communications Commission
2000 L Street N.W., Room 257
Washington, D.C. 20554

Shirley S. Fujimoto Kris Monteith McDermott, Will & Emery 1850 K Street N.W. Suite 500 Washington, D.C. 20005

Heather Roberts

<sup>\*</sup>Via Hand Delivery

CC 95-93

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August 30, 1995

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#### BY HAND DELIVERY

The Honorable John M. Frysiak Administrative Law Judge Federal Communications Commission 2000 L Street, N.W. Room 223 Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF SECRETARY

Re:

TeleCable of Piedmont, Inc.; Cencom Cable Income Partners, II, L.P., Cencom Cable Entertainment, Inc., and Cencom Cable Television, Inc.; TeleCable of Spartanburg, Inc., and TeleCable of Greenville, Inc. v. Duke Power Company

PA 90-0003, PA 91-0001, PA 91-0002

Dear Judge Frysiak:

After having reached a settlement in principle and agreement on all rate issues in this case, the parties have made significant progress towards calculating the payments made, refunds and interest. However, the parties need additional time to resolve various discrepancies that have arisen in our respective methods of calculation.

The Honorable John M. Frysiak August 30, 1995 Page -2-

I am, therefore, filing a "Joint Motion to Defer Briefing Date". We expect to conclude the remaining computations by September 13, 1995, after which we will file a Motion for Entry of Stipulated Order.

Paul Glist

Frederick W. Giroux

Enclosure(s)